

**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

**CV 21 - 2498**

----- x  
Annette Sanderson  
Justice Bey -Allah

Complaint for a civil case  
Case No. \_\_\_\_\_

Claimant(s):

**DONNELLY, J.**

-against-

TRIAL BY JURY  
DEMANDED

HSBC BANK USA  
WELLS FARGO  
AYDIN BK HOLDING INC.

**BLOOM, M.J.**

COMMON LAW

Respondent(s)

----- x  
Dated: April 14, 2021

**Claimant(s):**

Annette Sanderson – 318 East 16th Street. Brooklyn, New York [11226]  
Justice Bey - Allah – 318 East 16th Street. Brooklyn, New York [11226]

**Respondent(s):**

HSBC BANK USA – P.O BOX 10335 DES MOINES, IA 50306 - 0335  
WELLS FARGO – P.O. BOX 10335 DES MOINES, IA 50306- 0335  
AYDIN BK HOLDING INC. – 83 Vanderbilt Ave. Floral Park, NY 11001

**Federal Question**

This case is given rise under 28 U.S.C. Section 1331

1. Title 18 USC Section 1341, fraud



## **AFFIDAVIT OF FACT**

### Affidavit from Annette Sanderson and Justice Bey - Allah

My deceased husband Thomas told me that Mr. Osmond Decoteau was planning to refinance our property at a lower rate of interest. My husband trusted Mr. Decoteau because he was the former Pastor of Mr. Osmond Decoteau's parents. It was some time in 2007 when we received the first notice of foreclosure on our property.

My husband had numerous times tried to contact Mr. Decoteau but, without any success. We eventually got in touch with Pearl Pierre, whose personal mail was coming to our address with her name as property owner. We also received mail in the name of Joyce Halls as the owner of our property also. My husband and I had hired lawyers on different occasions, but without success to was unable save our home.

We first made successful contact with Pearl Pierre who had a deed of ownership on our home and had taken out a mortgage on the property. She eventually placed the deed in our possession. Joyce Halls, the other fictitious said 'deed owner' of our property gave us a sworn statement attesting that she was unaware of the transaction. However, her name also appeared to have taken out a mortgage on our property.

I had went to court in response to the foreclosure for my property and when the case was called number 21 on the calendar. I made my appearance because I was the true owner of the property and did not want to lose it. Two Bank representatives from HSBC BANK USA responded also to the call.

The judge ask who I was and I replied "that I was the legal registered property owner" and based on my findings of the unauthorized transactions and false owners I had paid the mortgage in the name of Pearl Pierre because the bank would recognizes that name on the account.. The judge then instructed me to stop paying until they found out which company should be receiving the installment.

The Judge said this was not a foreclosure issue but this is fraud. This troubled my husband so much, especially since Mr. Decoteau had stop answering his calls. My husband was already ill and this situation worsened his illness. I believe this matter hastened his illness and expedited in his passing away. Ever since this nightmare I have had difficulty focusing on my job as a nurse working with acute care patients which requires me to perform my tack and standard with a clear head.

As a widow and single parent with minor children this situation has been difficult and quite challenging. I suffer from physical ailments, stressful insomnia, and fatigue. The current uncertainties of a comfortable home and such agony at times in one case caused me an episode of body pains, anxiety and stress that cause me to be was rushed to the hospital for mental break down.

Since this unresolved conflict surrounding my home and matters getting worse, on October 17th, 2019 my house was auctioned off and the new owner that acquired the property thru bidding on my property began a series of harassing phone calls and unpleasant visits to my home. There was even damaged to a poster I had put on my door that was ripped off by Mr. Mohammad and thrown on the ground in a fit of rage.

Due to all the stress, I have endured since the unlawful sell and fraud of my home; I been taken medications to help me manage in my simple everyday living. I further suffered side effects of the medication and sustained a fall that resulted in me being injured. My family all have become

dysfunctional in one way or another. They are not the same happy family members and some even given the diagnosis as clinically depressed.

Everyone in my household have suffered and are continuing to suffer from this awful situation. The children are no longer able to focus on their schoolwork. because their Mom is under constant medications and in therapy to help cope with this traversey and tying gain some type of balance and sanity to go on with our lives

**Respondents are given 30 days to rebut this affidavit point for point.**

### **I. FIRST CAUSE OF ACTION: FRAUD**

1. **Mr. Osmond Decoteau**, recorded a fraudulent deed of ownership in 11/10/2004. This is clear that Osmond Decoteau, never had ownership of the property in 2004. However, the family of Annette Sanderson and family were about to be homeless by this fraudulent deceit done by Osmond Decoteau and Joyce Halls, Pearl Pierre each claiming to be valid owners. This horrific and cruel act made against the Sanderson family has made an impending threat of homeless since 2004. Presently, Ms. Sanderson and family are still residing at 318 East. 16th Street. Brooklyn NY 11226.
2. Intend to defraud, scam Claimants and their family members into vacating the premises with false constructed legal documents. Those documents were identified as a deed and Mortgage notes and was presented onto the record on 11/10/2004. This was a fraudulent and harassing act intended to displace the family and ultimately sell the property for financial gain. It was not a lawful deed of ownership required for proper property transfer of sales.
3. I am the administrator over my late husband estate, and we never had no contract are an agreement with HSBC BANK USA, or WELLS FARGO, and if so, please produce the **promissory note** or any documents with my husband are my signature for the debt. It was a fraudulent foreclosure in which Joyce Halls and Pearl Pierre who was the perpetrators who took out those fraudulent mortgages on my property without the consent of my husband are me, we are the rightful owners of said property located at 318 East. 16<sup>th</sup> Street. Brooklyn NY 11225 (UCC 3-401. Signature)

## II. SECOND CAUSE OF ACTION:

### DECEIT

3. **Mr. Osmond** and Joyce Halls, Pearl Pierre, supposed owners of said property located at 318 East 16th Street. Brooklyn N.Y. 11226 (individual claimants) expressed 'intrusive' (trespassing) and deliberate false pretenses in their claim of ownership causing anguish to the family. This cunning and malicious scheme to remove the Sanderson's family from their home of 25 years is a tortuous act. [**Nielson V. Adams 388 N.W.2d 840 (1986) 223 Neb. 262.** – "Intention to defraud the other party is the essence of fraud."
4. Mr. Osmond Decoteau and Joyce Halls, Pearl Pierre, acted under wrongfully assumed Power and Authority and under pretense as False Title Holders who failed to give legal Notice of Proof of ownership of Real and Personal property. This resulted in stolen, embezzled, converted and/or purloined deed, fraudulent conveyance, in sort identity theft, mortgage fraud, mail, securities fraud( inter alia), as it relates to filing false claim of proprietary right to subject property and deed" under **CFRN No: 2006000008916**, filed on January 6, 2006.
5. Osmond Decoteau provided a forged and fraudulent deed "the Owner of property at 318 East 16th Street. Brooklyn NY 11226. This document being dated 11/10/2004." Which was an intentional lie to uphold his scam on the county records.
6. Osmond Decoteau and Joyce Halls were never the legal / Lawful owners of 318 East. 16th Street Brooklyn NY 11226 at any time The Respondents failed to show for the scheduled court date for the foreclosure on said property proving their scam on an innocent widow and her children.

## III. SECOND CAUSE OF ACTION:

### CONVERSION

Osmond Decoteau and Joyce Halls had used a scam and deceit to defraud the family from their home regarding proprietary rights and chain of title pertaining the property located at 318 East. 16th Street, Brooklyn, NY 11226, Block: 5146 Lot: 28 Addition-ally,

- A. On [date 11/10/2004], Respondent(s), forged pertinent instruments, misrepresented material facts to usurped the powers, by committing outright forgery that lead to conversion of the above mentioned property located at 318 East.16th Street, Brooklyn, New York 11226, Block: 5146, Lot 28. The property was not vacant at the time of such occurrence(s) of fraud (inter alia) but was occupied by Annette Sanders, her children and domestic Partner Thomas Sanderson. The home had been valued at \$1,667.647,00.

- B. Upon factual documented evidence assimilated after conducting a thorough investigation of the chain of title regarding the subject property, it had been established that Joyce Halls “never” resided in the state of New York nor domiciled at the address of that residence. It is clear apparent that her name and her signature appears on the following instruments which was recorded in the Office of Register of Deeds office for City of New York as if she was the owner of the house. This action of questionable forgery herein perpetrated a conversion of property theft and interference with the standing contract of owners Thomas Sanderson and Annette Sanderson.

**D. DOCUMENTS SUBMITTED BY RESPONDANT(S) INTO THE COUNTY RECORDING WAS FRAUDULENTLY MISREPRESENTING OF OWNERSHIP, WHEREIN ACTIONS LEAD TO CONVERSION/TRESPASSING AND THEFT.**

1. Fraudulent Deed - CFRN - 2006000008916, dated 11/10/2004, recorded 1/6/2006
2. Fraudulent Deed – CFRN – 2006000008917, dated 12/16/2004, recorded 1/6/2006
3. Fraudulent Deed – CFRN – 2006000008918, dated 12/16/2004, recorded 1/6/2006
4. Fraudulent Mortgage - CFRN – 2006000008919, dated 12/16/2006, recorded 1/6/2006, amount \$649,000.00
5. Fraudulent Mortgage – CFRN – 2006000008920, dated 12/16/2004, recorded 1/6/2006, amount \$98,000
6. Fraudulent Power of Attorney - CFRN – 2006000234316, dated 2/16/2006, recorded 4/27/2006
7. Fraudulent Deed – CFRN – 2006000234317, dated 2/17/2006, recorded 4/27/2006
8. Fraudulent Mortgage – CFRN – 2006000234318, dated 2/17/2006, Recorded 4/27/2006 amount \$750,000
9. Fraudulent Mortgage – CFRN – 2006000234319, dated 2/17/2006, recorded 4/27/2006 \$187,500

Recording these fraudulent records resulted in the unlawful violation of the Claimants right to property thus causing insolvency of mortgage, credit damages, and loss of property. The theft of subject property is a direct act of fraud and deceit; [A judgment of a court without hearing the party or giving him an opportunity to be heard is not a judicial determination of his rights. Sabariego v Maverick, 124 US 261, 31 L Ed 430, 8 S Ct 461, and is not entitled to respect in any other tribunal.]

#### **IV. FOURTH CAUSE OF ACTION: INFLICTION OF MENTAL DISTRESS**

1. AYDIN BK HOLDING INC, my understanding is associated with Mr. Osmond Decoteau and Joyce Halls, as a straw Buyer who have been harassing me and my family Since this unresolved conflict surrounding my home and matters getting worse, on October 17th, 2019 my house was auctioned off and the new owner Mohammad Tutul that bid on the property began a series of harassing phone calls and visits to my home. There was even damaged to a poster I had on my door that was ripped off and thrown on the ground in a fit of rage by Mr. Mohammad and telling my neighbors that he owns my property and that he wants me and my family out.
2. This act in careless manner with no regards to the Claimant(s) and their family mental anguish and stress. Inflicting such unexpected fraudulent acts upon Claimant(s) placed a clear threat to the security of person(s) and property and physical health placed a toll on Claimant's ability to maintain her employment with the use of medications and seeking counseling for her mental stress made on her and family.

#### **V. Exhibits:**

**Exhibit 1. Deed - CFRN - 2006000008916, dated 11/10/2004, recorded 1/6/2006**

**Exhibit 2. Deed – CFRN – 2006000008917, dated 12/16/2004, recorded 1/6/2006**

**Exhibit 3. Deed – CFRN – 2006000008918, dated 12/16/2004, recorded 1/6/2006**

**Exhibit 4. Mortgage – CFRN – 2006000008919, dated 12/16/2006, recorded 1/6/2006,  
Amount \$649, 000.00**

**Exhibit 5. Mortgage – CFRN – 2006000008920, dated 12/16/2004, recorded 1/6/2006,  
Amount \$98,000**

**Exhibit 6. Power of Attorney - CFRN – 2006000234316, dated 2/16/2006, recorded 4/27/2006**

**Exhibit 7. Fraudulent Deed – CFRN – 2006000234317, dated 2/17/2006, recorded 4/27/2006**

**Exhibit 8. Mortgage – CFRN – 2006000234318, dated 2/17/2006, Recorded 4/27/2006,  
Amount \$750,000**

**Exhibit 9. Mortgage – CFRN – 2006000234319, dated 2/17/2006, recorded 4/27/2006,  
Amount \$187,500**

**DEMAND FOR RELIEF:  
ON ALL CAUSE OF ACTIONS**

1. Special damages according to proof, but not less than \$5,000,000.00
2. General damages according to proof but in a sum no less than \$5,000,000.00
3. Cost of suit herein.
4. Such other and further relief as the court deems just and proper.
5. For the First, Second, Third, Fourth Causes of Action: Punitive damages in the sum of \$10,000,000.00: due to the fraudulent illegal actions done by Respondent(s) to the various 4 family members in their individual capacities.
6. All relief are predicated on the fraudulent and unlawful/legal claims of being homeowners at home located at 318 East. 16th Street. Brooklyn NY 11226 and being the cause of unjust foreclosure.
7. For the malicious acts of fraud and additional crimes mentioned herein, punitive damages per court deems.

**Claimant(s):** suffered actual, compensatory and punitive damages in the amount of **\$10,000,000.00**. Since the crimes committed by Respondent(s), the Claimant(s) are obligated to report these violations in addition to the Internal Revenue Service and all related agencies for criminal investigation.

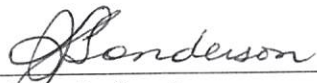
**AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGMENT AFTER 30 DAYS.**

**AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN COMMERCE.**

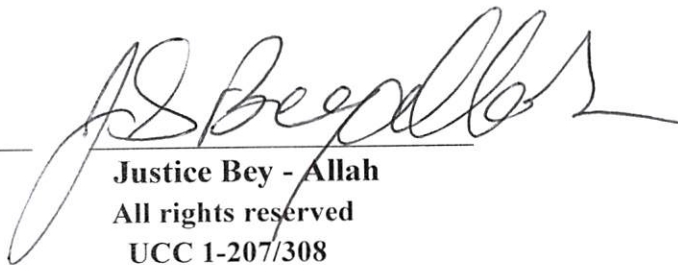
There is no Statutes of limitation on fraud.....[fraud] it commences upon when one becomes aware or suspects it.

I declare under the penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge and beliefs. There is no purpose to mislead or misrepresent the truth, if a fact stated is proved wrong by facts, law, and evidence, I reserve the right to "Amend" it for the truth to be clearly stated. This "Affidavit" can only be defeated by "Counter Affidavit" signed under the penalty of perjury. By my signature and seal below I present this "Affidavit" to In the United States District Court for the Eastern District of New York" as the truth of this matter.

Testified This <sup>5<sup>th</sup></sup>4 day of May, 20 21

  
**Annette Sanderson**  
Beneficial Title Holder  
UCC 1-207/308

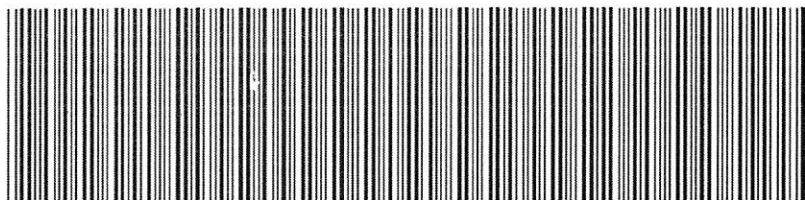
Testified This <sup>5<sup>th</sup></sup>4 day of May, 20 21

  
**Justice Bey - Allah**  
All rights reserved  
UCC 1-207/308



**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

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2005010200025001003E0F4B

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 3**

**Document ID: 2005010200025001**

Document Date: 11-10-2004

Preparation Date: 11-30-2005

Document Type: DEED

Document Page Count: 2

**PRESENTER:**

PORT ABSTRACT INC  
600 OLD COUNTRY ROAD-SUITE LL15  
PICK UP  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

SID LYN & ASSOCIATES  
1347 EAST 96 STREET  
BROOKLYN, NY 11236

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	5146	28	Entire Lot	318 EAST 16 STREET
<b>Property Type: DWELLING ONLY - 2 FAMILY</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

THOMAS SANDERSON  
318 EAST 16TH STREET  
BROOKLYN, NY 11226

**GRANTEE/BUYER:**

SID LYN & ASSOCIATES  
1347 EAST 96 STREET  
BROOKLYN, NY 11236

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	47.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	75.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	\$	2,320.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
TOTAL:	\$	0.00		

NYC HPD Affidavit in Lieu of Registration Statement

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 01-06-2006 13:05  
City Register File No.(CRFN):  
**2006000008916**



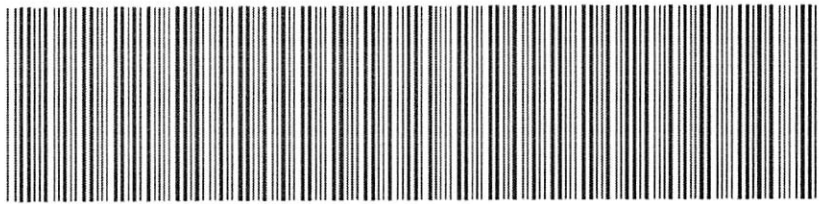
*Annette McMill*

City Register Official Signature

*Exhibit 1*

**NYC DEPARTMENT OF FINANCE  
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**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 3**

**Document ID: 2005010200025002**

Document Date: 12-16-2004

Preparation Date: 11-30-2005

Document Type: DEED

Document Page Count: 2

**PRESENTER:**

PORT ABSTRACT INC  
600 OLD COUNTRY ROAD-SUTTE LL15  
PICK UP  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

NARCATA HOLDING CORP  
67 WALL STREET  
NEW YORK, NY 10005

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	5146	28	Entire Lot	318 EAST 16 STREET
<b>Property Type: DWELLING ONLY - 2 FAMILY</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

SID LYN & ASSOCIATES  
1347 EAST 96 STREET  
BROOKLYN, NY 11236

**GRANTEE/BUYER:**

NARCATA HOLDING CORP.  
67 WALL STREET  
NEW YORK, NY 10005

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	47.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	75.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	\$	0.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
TOTAL:	\$	0.00		

NYC HPD Affidavit in Lieu of Registration Statement

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OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

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2006000008917



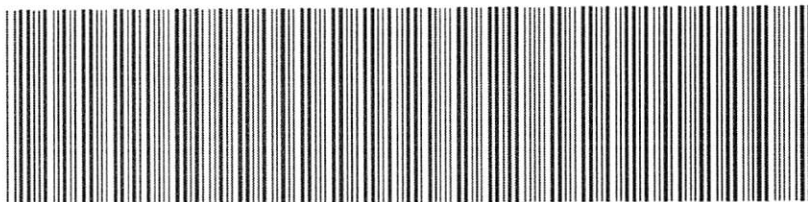
*Annette McMill*

City Register Official Signature

Exhibit 2

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**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 4**

**Document ID: 2005010200025003**

Document Date: 12-16-2004

Preparation Date: 11-30-2005

Document Type: DEED

Document Page Count: 3

**PRESENTER:**

PORT ABSTRACT INC  
600 OLD COUNTRY ROAD-SUITE LL15  
PICK UP  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

JOYCE HALL  
318 E. 16TH STREET  
BROOKLYN, NY 11226

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	5146	28	Entire Lot	318 EAST 16 STREET
<b>Property Type: DWELLING ONLY - 2 FAMILY</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

NARCATA HOLDING CORP.  
67 WALL STREET  
NEW YORK, NY 10005

**GRANTEE/BUYER:**

JOYCE HALL  
318 E. 16TH STREET  
BROOKLYN, NY 11226

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	52.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	75.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	\$	3,320.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
<b>TOTAL:</b>	<b>\$</b>	<b>0.00</b>		

NYC HPD Affidavit in Lieu of Registration Statement



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**2006000008918**

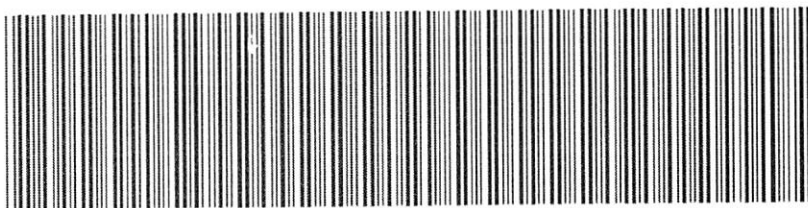
*Annette McMill*

City Register Official Signature

Exhibit 3

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2005010200025004002E9F86

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 23**

**Document ID: 2005010200025004**

Document Date: 12-16-2004

Preparation Date: 11-30-2005

Document Type: MORTGAGE

Document Page Count: 22

**PRESENTER:**

PORT ABSTRACT INC  
600 OLD COUNTRY ROAD-SUITE LL15  
PICK UP  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

FAIRMONT FUNDING, LTD  
1333 60TH STREET 2ND FL.  
BROOKLYN, NY 11219

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	5146	28	Entire Lot	318 EAST 16 STREET
<b>Property Type: DWELLING ONLY - 2 FAMILY</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**MORTGAGER/BORROWER:**

JOYCE HALLS  
11 KANE LANE  
BROOKLYN, NY 11211

**MORTGAGEE/LENDER:**

MERS  
4318 MILLER ROAD  
FLINT, MI 48507

**FEES AND TAXES**

<b>Mortgage</b>		Recording Fee: \$	147.00
Mortgage Amount:	\$	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	NYC Real Property Transfer Tax Filing Fee:	
Exemption:		\$	0.00
TAXES: County (Basic):	\$	NYS Real Estate Transfer Tax:	
City (Additional):	\$	\$	0.00
Spec (Additional):	\$		
TASF:	\$		
MTA:	\$		
NYCTA:	\$		
Additional MRT:	\$		
<b>TOTAL:</b>	<b>\$</b>		<b>14,085.75</b>

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OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 01-06-2006 13:05

City Register File No.(CRFN):

2006000008919



*Annette McMill*

City Register Official Signature

Exhibit 4

Return To:  
Fairmont Funding, Ltd

1333 - 60th Street 2nd  
FL., Brooklyn, NY 11219

Prepared By:  
Fairmont Funding, LTD.  
1333 - 60th Street 2nd FL.  
Brooklyn, NY 11219

EE64-287637

B-5146

L-28

11/16/04 - \$13,762.25

[Space Above This Line For Recording Data]

## MORTGAGE

MIN 1002948-0004200492-5

### WORDS USED OFTEN IN THIS DOCUMENT

(A) "Security Instrument." This document, which is dated December 16, 2004 together with all Riders to this document, will be called the "Security Instrument."

(B) "Borrower." JOYCE HALLS

whose address is 11 KANE LANE, BROOKLYN, NY 11211

sometimes will be called "Borrower" and sometimes simply "I" or "me."

(C) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS. **FOR PURPOSES OF RECORDING THIS MORTGAGE, MERS IS THE MORTGAGEE OF RECORD.** \* 438 Miller Road Flint, MI 48507

(D) "Lender." Fairmont Funding, LTD., New York Corporation

will be called "Lender." Lender is a corporation or association which exists under the laws of The State of New York. Lender's address is 1333 - 60th Street 2nd FL., Brooklyn, NY 11219

YB0492 HALLS

1111115178

0

NEW YORK - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS

Form 3033 1/01

VMF-6A(NY) 0005102

Page 1 of 17 MW 05/00/02

Initials

VMF MORTGAGE FORMS - (800)521-7281



(E) "Note." The note signed by Borrower and dated December 16, 2004, will be called the "Note." The Note shows that I owe Lender Six Hundred Forty Nine Thousand and no/100

Dollars (U.S. \$ 649,000.00 )

plus interest and other amounts that may be payable. I have promised to pay this debt in Periodic Payments and to pay the debt in full by January 1, 2035

(F) "Property." The property that is described below in the section titled "Description of the Property," will be called the "Property."

(G) "Loan." The "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Sums Secured." The amounts described below in the section titled "Borrower's Transfer to Lender of Rights in the Property" sometimes will be called the "Sums Secured."

(I) "Riders." All Riders attached to this Security Instrument that are signed by Borrower will be called "Riders." The following Riders are to be signed by Borrower [check box as applicable]:

- |                                                |                                                         |                                                      |
|------------------------------------------------|---------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider              | <input type="checkbox"/> Second Home Rider           |
| <input type="checkbox"/> Balloon Rider         | <input type="checkbox"/> Planned Unit Development Rider | <input checked="" type="checkbox"/> 1-4 Family Rider |
| <input type="checkbox"/> VA Rider              | <input type="checkbox"/> Biweekly Payment Rider         | <input type="checkbox"/> Other(s) [specify]          |

(J) "Applicable Law." All controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable, judicial opinions will be called "Applicable Law."

(K) "Community Association Dues, Fees, and Assessments." All dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization will be called "Community Association Dues, Fees, and Assessments."

(L) "Electronic Funds Transfer." "Electronic Funds Transfer" means any transfer of money, other than by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Some common examples of an Electronic Funds Transfer are point-of-sale transfers (where a card such as an asset or debit card is used at a merchant), automated teller machine (or ATM) transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items." Those items that are described in Section 3 will be called "Escrow Items."

(N) "Miscellaneous Proceeds." "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than Insurance Proceeds, as defined in, and paid under the coverage described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) Condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of Condemnation or sale to avoid Condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property. A taking of the Property by any governmental authority by eminent domain is known as "Condemnation."

(O) "Mortgage Insurance." "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment." The regularly scheduled amount due for (i) principal and interest under the Note, and (ii) any amounts under Section 3 will be called "Periodic Payment."

(Q) "RESPA." "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

YB0492 HALLS

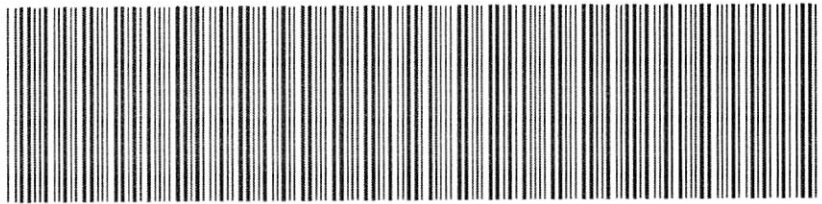
1111115178

Initials 

0

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2005010200025005002E5FBB

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 11**

**Document ID: 2005010200025005**

Document Date: 12-16-2004

Preparation Date: 11-30-2005

Document Type: MORTGAGE

Document Page Count: 10

**PRESENTER:**

PORT ABSTRACT INC  
600 OLD COUNTRY ROAD-SUITE LL15  
PICK UP  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

FAIRMONT FUNDING LTD  
1333 60TH STREET  
2ND FLOOR  
BROOKLYN, NY 11219

**PROPERTY DATA**

<b>Borough</b>	<b>Block</b>	<b>Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	5146	28	Entire Lot	318 EAST 16 STREET
<b>Property Type: DWELLING ONLY - 2 FAMILY</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**MORTGAGER/BORROWER:**

JOYCE HALLS  
316 EAST 16TH STREET  
BROOKLYN, NY 11226

**MORTGAGEE/LENDER:**

MERS  
4318 MILLER ROAD  
FLINT, MI 48507

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	87.00
Mortgage Amount:	\$	98,000.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	98,000.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	0.00
TAXES: County (Basic):	\$	490.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	1,102.50	\$	0.00
Spec (Additional):	\$	0.00		
TASF:	\$	245.00		
MTA:	\$	264.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
<b>TOTAL:</b>	<b>\$</b>	<b>2,101.50</b>		

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 01-06-2006 13:05

City Register File No.(CRFN):

**2006000008920**



*Annette McMill*

**City Register Official Signature**

*Exhibit 5*

Return To:  
FAIRMONT FUNDING LTD  
1333 60TH STREET  
2ND FLOOR  
BROOKLYN, NEW YORK 11219

LOAN NO.: YB0493  
ESCROW NO.:  
TITLE NO.:  
PARCEL NO.:

**MORTGAGE**

MIN 1002948-0004200493-3

**WORDS USED OFTEN IN THIS DOCUMENT**

(A) "Mortgage." This document, which is dated **DECEMBER 16, 2004**, will be called the "Mortgage."  
(B) "Borrower."  
**JOYCE HALLS,**

whose address is **316 EAST 16TH STREET  
BROOKLYN, NEW YORK 11226**

will sometimes be called the "Borrower" and sometimes simply "I."

(C) "Lender."

**FAIRMONT FUNDING LTD, A NEW YORK CORPORATION**

will be called the "Lender." Lender is a corporation or association which was formed and which exists under the laws of  
**NEW YORK** Lender's address is

**1333 60TH STREET 2ND FLOOR; BROOKLYN, NEW YORK 11219**

(D) "Note." The junior lien note signed by Borrower and dated **DECEMBER 16, 2004**, and extensions  
and renewals of that note, will be called the "Note." The Note shows that I owe Lender U.S. \$ **98,000.00** \*  
plus interest, which I have promised to pay in full by **JANUARY 01, 2020** *Not to exceed Ten Thousand Dollars*  
(E) "Property." The property that is described below in the section titled "Description of the Property" will be called the  
"Property."

(F) "MERS." The Mortgage Electronic Registration System, Inc. will be called "MERS." MERS is a separate corporation  
that is acting solely as nominee for Lender [as defined in (C) above] and Lender's successors and assigns. MERS is  
organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI  
48501-2026, tel. (888) 679-MERS. **FOR PURPOSES OF RECORDING THIS MORTGAGE, MERS IS THE**  
**MORTGAGEE OF RECORD.** \* *4318 Miller Road Flint MI 48503*

**BORROWER'S TRANSFER TO LENDER OF RIGHTS IN THE PROPERTY**

I mortgage, grant and convey the Property to MERS, (solely as nominee for Lender and Lender's successors and assigns),  
subject to the terms of this Mortgage. I understand and agree that MERS holds only legal title to the interests granted by  
me in this Mortgage; but, if necessary to comply with law or custom, MERS, (as nominee for Lender and Lender's  
successors and assigns), has the right: to exercise any or all of those interests, including, but not limited to, the right to  
foreclose and sell the Property; and to take any action required of Lender including, but not limited to, discharging this  
Mortgage. This means that, by signing this Mortgage, I am giving Lender those rights that are stated in this Mortgage and  
also those rights that the law gives to lenders who hold mortgages on real property. I am giving Lender these rights to  
protect Lender from possible losses that might result if I do not:

(A) Pay all the amounts that I owe Lender as stated in the Note;  
(B) Pay, with interest, any amounts that Lender spends under this Mortgage to protect the value of the Property and  
Lender's rights in the Property; and  
(C) Keep all of my promises and agreements under this Mortgage.

With respect to the amounts that I owe under the Note and under this Mortgage, I waive the benefit of the right which is  
known as the "homestead exemption." A homestead exemption is a property owner's right to keep a portion of his  
property (usually up to a certain dollar amount) free from the claims of creditors. My waiver of this right means that the  
Lender may exercise all of its rights under this Mortgage as if I were not entitled, under law, to the benefits of a  
homestead exemption.

**DESCRIPTION OF THE PROPERTY**

I give Lender rights in the following Property:

(A) The property which is located at **316 EAST 16TH STREET** [Street],  
**BROOKLYN** [City], **NEW YORK** [State], **11226** [Zip Code]

This Property is in **KINGS**

It has the following legal description:

SEE ATTACHED SCHEDULE A

*The premises are improved or  
are to be improved by a 1 or 2  
family dwelling*

TWO PAGE 1-4 FAMILY RIDER ATTACHED HERETO AND MADE A PART HEREOF

BALLOON RIDER ATTACHED HERETO AND MADE A PART HEREOF.

Initials   J  

**NEW YORK - SECOND MORTGAGE - 1/80 - FNMA/FHLMC UNIFORM INSTRUMENT WITH MERS**

76N(NY) (0208)

DOCPREP SERVICES, INC. FORM - MMTGNY2-3333

Page 1 of 6

VMP MORTGAGE FORMS - (800)521-7291

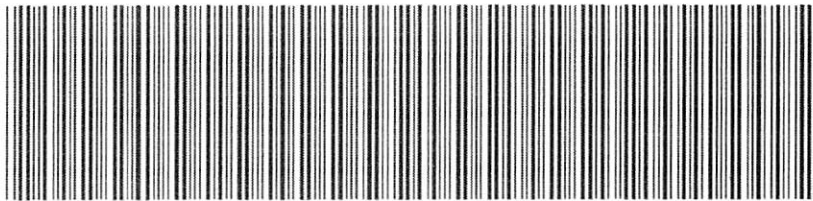
ORIGINAL

Form 3833

Amended 4/01

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

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2006040400779001001E85F8

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 4**

**Document ID: 2006040400779001**

Document Date: 02-16-2006

Preparation Date: 04-04-2006

Document Type: POWER OF ATTORNEY

Document Page Count: 3

**PRESENTER:**

ALLIED ONE ABSTRACT  
600 OLD COUNTRY ROAD-SUITE LL15  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

OSMOND DECOTEAU  
1347 EAST 96TH STREET  
BROOKLYN, NY 11236

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	5146	28	Entire Lot	318 EAST 16 STREET
<b>Property Type: DWELLING ONLY - 1 FAMILY</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**PARTY ONE:**

JOYCE HALLS  
318 EAST 16TH STREET  
BROOKLYN, NY 11226

**PARTY TWO:**

OSMOND DECOTEAU  
1347 EAST 96TH STREET  
BROOKLYN, NY 11236

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	52.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	0.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	\$	0.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
TOTAL:	\$	0.00		

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 04-27-2006 11:06

City Register File No.(CRFN):

**2006000234316**



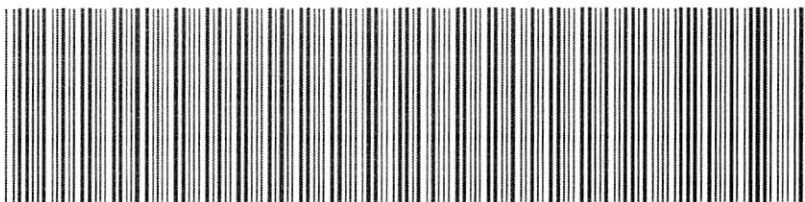
*Annette McMill*

City Register Official Signature

Exhibit 6

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

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2006040400779002002E75BC

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 5**

**Document ID: 2006040400779002**

Document Date: 02-17-2006

Preparation Date: 04-04-2006

Document Type: DEED

Document Page Count: 3

**PRESENTER:**

ALLIED ONE ABSTRACT  
600 OLD COUNTRY ROAD-SUITE LL15  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

PEARL PIERRE  
318 EAST 16TH STREET  
BROOKLYN, NY 11226

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	5146	28	Entire Lot	318 EAST 16TH STREET

**Property Type: DWELLING ONLY - 1 FAMILY**

**CROSS REFERENCE DATA**

**CRFN: 2006000008918**

x Additional Cross References on Continuation Page

**PARTIES**

**GRANTOR/SELLER:**

JOYCE HALLS  
318 EAST 16TH STREET  
BROOKLYN, NY 11226

**GRANTEE/BUYER:**

PEARL PIERRE  
318 EAST 16TH STREET  
BROOKLYN, NY 11226

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	52.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	75.00
<b>TAXES: County (Basic):</b>			NYS Real Estate Transfer Tax:	
	\$	0.00	\$5,320.00 + \$13,300.00 = \$	18,620.00
City (Additional):	\$	0.00		
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
<b>TOTAL:</b>	<b>\$</b>	<b>0.00</b>		

NYC HPD Affidavit in Lieu of Registration Statement

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 04-27-2006 11:06

City Register File No. (CRFN):

**2006000234317**



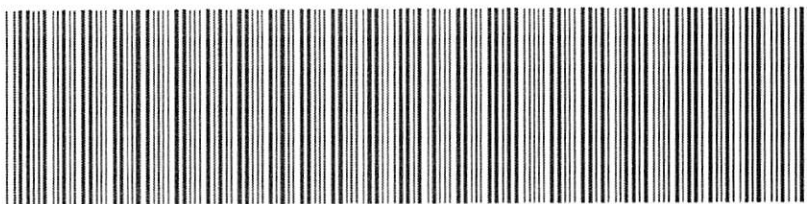
*Annette McMill*

City Register Official Signature

Exhibit 7

**NYC DEPARTMENT OF FINANCE  
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2006040400779003001E4581

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 23**

**Document ID: 2006040400779003**

Document Date: 02-17-2006

Preparation Date: 04-04-2006

Document Type: MORTGAGE

Document Page Count: 22

**PRESENTER:**

ALLIED ONE ABSTRACT  
600 OLD COUNTRY ROAD-SUTTE LL15  
GARDEN CITY, NY 11530  
516-227-1159  
PORTABSTRACT@MSN.COM

**RETURN TO:**

AMERICAN BROKERS CONDUIT  
520 BROADHOLLOW ROAD  
MELVILLE, NY 11747

**PROPERTY DATA**

<b>Borough</b>	<b>Block</b>	<b>Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	5146	28	Entire Lot	318 EAST 16TH STREET
<b>Property Type:</b> DWELLING ONLY - 1 FAMILY				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**MORTGAGER/BORROWER:**

PEARL PIERRE  
318 EAST 16TH STREET  
BROOKLYN, NY 11226

**MORTGAGEE/LENDER:**

MERS  
4318 MILLER ROAD  
FLINT, MI 48501

**FEES AND TAXES**

<b>Mortgage</b>		Recording Fee: \$	147.00
Mortgage Amount:	\$ 750,000.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$ 750,000.00	NYC Real Property Transfer Tax Filing Fee:	0.00
Exemption:			
TAXES: County (Basic):	\$ 3,750.00	NYS Real Estate Transfer Tax:	0.00
City (Additional):	\$ 8,437.50		
Spec (Additional):	\$ 0.00		
TASF:	\$ 1,875.00		
MTA:	\$ 2,220.00		
NYCTA:	\$ 0.00		
Additional MRT:	\$ 0.00		
<b>TOTAL:</b>	<b>\$ 16,282.50</b>		

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 04-27-2006 11:06  
City Register File No.(CRFN):  
**2006000234318**



*Annette McMill*

City Register Official Signature

*Exhibit 8*

8864-31067

B 5146

L 28

Mtg tax 16,282.50

Return To:  
American Brokers Conduit  
520 Broadhollow Road  
Melville, NY 11747

Prepared By:

Samantha Schour  
538 Broadhollow Road  
4th Floor W  
Melville, NY 11747

[Space Above This Line For Recording Data]

## MORTGAGE

MIN 100024200011086267

### WORDS USED OFTEN IN THIS DOCUMENT

(A) "Security Instrument." This document, which is dated February 17, 2006, together with all Riders to this document, will be called the "Security Instrument."

(B) "Borrower." PEARL PIERRE

whose address is 475 BROOKLYN AVENUE, Brooklyn, NY 11225

sometimes will be called "Borrower" and sometimes simply "I" or "me."

(C) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS. **FOR PURPOSES OF RECORDING THIS MORTGAGE, MERS IS THE MORTGAGEE OF RECORD.** 4214 Miller Road

(D) "Lender." American Brokers Conduit

will be called "Lender." Lender is a corporation or association which exists under the laws of State of New York. Lender's address is 538 Broadhollow Road, Melville, NY 11747

This property is or will be principally improved by a one- or two- family house or dwelling only.

DOC #:324301

APPL #:0001108626

NEW YORK - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS Form 3033 1/01

VMP-6A(NY) (0005)

Page 1 of 17 JN31 9908

Initials: PP

VMP MORTGAGE FORMS - (800)521-7291



(E) "Note." The note signed by Borrower and dated February 17, 2006, will be called the "Note." The Note shows that I owe Lender Seven Hundred Fifty Thousand and No/100

Dollars (U.S. \$ 750,000.00 )

plus interest and other amounts that may be payable. I have promised to pay this debt in Periodic Payments and to pay the debt in full by March 1, 2036

(F) "Property." The property that is described below in the section titled "Description of the Property," will be called the "Property."

(G) "Loan." The "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Sums Secured." The amounts described below in the section titled "Borrower's Transfer to Lender of Rights in the Property" sometimes will be called the "Sums Secured."

(I) "Riders." All Riders attached to this Security Instrument that are signed by Borrower will be called "Riders." The following Riders are to be signed by Borrower [check box as applicable]:

- |                                                           |                                                         |                                             |
|-----------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|
| <input checked="" type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider              | <input type="checkbox"/> Second Home Rider  |
| <input type="checkbox"/> Balloon Rider                    | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> 1-4 Family Rider   |
| <input type="checkbox"/> VA Rider                         | <input type="checkbox"/> Biweekly Payment Rider         | <input type="checkbox"/> Other(s) [specify] |

(J) "Applicable Law." All controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable, judicial opinions will be called "Applicable Law."

(K) "Community Association Dues, Fees, and Assessments." All dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization will be called "Community Association Dues, Fees, and Assessments."

(L) "Electronic Funds Transfer." "Electronic Funds Transfer" means any transfer of money, other than by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Some common examples of an Electronic Funds Transfer are point-of-sale transfers (where a card such as an asset or debit card is used at a merchant), automated teller machine (or ATM) transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items." Those items that are described in Section 3 will be called "Escrow Items."

(N) "Miscellaneous Proceeds." "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than Insurance Proceeds, as defined in, and paid under the coverage described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) Condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of Condemnation or sale to avoid Condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property. A taking of the Property by any governmental authority by eminent domain is known as "Condemnation."

(O) "Mortgage Insurance." "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment." The regularly scheduled amount due for (i) principal and interest under the Note, and (ii) any amounts under Section 3 will be called "Periodic Payment."

(Q) "RESPA." "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.